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Dated August 13, 2002

By

Karyn F. Massie

**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

In re Patent Application of

KELLY, *et al.*

Application No. 09/585,157

Filed: June 1, 2000

Group Art Unit: 1625

Examiner: Amelia A. Owens

Batch No. 4758

Date Allowed: March 12, 2002

Issue Fee Paid: June 11, 2002

For: ANTIFUNGAL AND ANTIMYCOBACTERIAL BASILISKAMIDES

August 13, 2002

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PETITIONS OFFICE

**PETITION FOR WITHDRAWAL FROM ISSUE**  
**UNDER 37 C.F.R. § 1.313(c)(3)**

Box: Director, Office of Patent Publication  
Assistant Commissioner of Patents  
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. § 1.313(c)(3), Applicants petition for the above-captioned application to be withdrawn from issue (subsequent to payment of the issue fee). The application is expressly abandoned in favor of a continuing application under 37 C.F.R. §1.53(b)(1) filed on June 12, 2002.

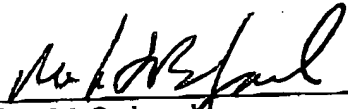
Payment of the issue fee was unintentional and this request for withdrawal is without deceptive intent. Therefore, it is respectfully requested that this application be withdrawn from issue and expressly abandoned in favor of the continuing application filed June 12, 2002.

In re KELLY, *et al.* — Application No. 09/585,157

If any additional fee is necessary for the determination of this Petition is missing or deficient, the Patent Office is hereby authorized to charge our Deposit Account No. 03-3975, under Order No. 007779/0260755, for which purposes this Petition has been submitted.

Respectfully submitted,

PILLSBURY WINTHROP LLP

By:   
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In re PATENT APPLICATION of  
Inventor(s) KELLY, et al.  
Appln. No. 09/585,157

series code ↑ serial no.  
Filed: June 1, 2000

Group Art Unit: 1625  
Examiner: Amelia A. Owens

Atty. Dkt. PM 007779/0260755  
M#

TITLE: ANTIFUNGAL AND  
ANTIMYCOBACTERIAL  
BASILISKAMIDES

Date: August 13, 2002

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Name Robert M. Bedgood,  
Ph.D.

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